

## **REMARKS**

Applicants have very carefully considered the Examiner's rejections of the pending claims in the Office Action and the teachings of the prior art. For the following reasons, none of the claims are made obvious by the prior art cited by the Examiner in support of the outstanding obviousness rejections.

Hughes is clearly unlike the claimed structure alone or in combination with the admitted prior art. Hughes discloses a cable 10 having a connector 12 which carries a plurality of sockets and a connector 14 which carries a plurality of sockets. Connector 14 also carries a singular plug pin 22.

The teaching of Hughes is to provide a connector 12, having a plurality of plug connections which can be reconfigured in accordance with the requirements of socket 23 in combination with the hybrid connector 14. Nothing about the admitted prior art or Hughes suggests or motivates one of skill to modify Hughes as would be necessary to make obvious any of the pending claims. Thus, the plug-to-plug configuration of connectors 12 and 14, which is quite unlike the claimed structure, even when considered with the admitted prior art, provides a *prima facie* case of obviousness only by using the present application as a road map. This is clearly improper. The required modification to the structure of Hughes would make it unsuited for its intended purpose. For at least the above reasons, none of pending claims 2-9 are obvious in view of Hughes.

Claim 4 adds the following additional limitation not suggested or taught by the admitted prior art in view of the teachings of Hughes:

"wherein the prongs are insertable in the second housing in the selected arrangement"

Unlike the claimed structure, the connector 14 of Hughes provides no flexibility and provides only a single pin 22 in combination with a plurality of socket elements.



Claim 5 adds the following limitation, also not suggested or made obvious by the admitted prior art in view of Hughes:

"wherein the prongs are surrounded, at least in part, by a cover whereby the prongs are extendable axially from the cover."

Hughes, unlike the claimed structure, merely discloses a singular pin 22 in combination with a plurality of plugs which is quite unlike the claimed combination. Nothing about Hughes read in view of the admitted prior art suggests or teaches the necessary modification to Hughes so as to make claim 5 obvious.

Claim 7 adds the following limitation, which in combination is not made obvious by Hughes read in view of the admitted prior art.

"wherein the first and second sets each comprise three conductors."

The Examiner's rationale for arguing obviousness is based on "design considerations". This is not the test pursuant to 35 U.S.C. §103 and cannot be properly used to establish a *prima facie* case of obviousness. It is well recognized that the only basis for establishing obviousness is a teaching or suggestion to modify the prior art combination which in turn makes the claimed structure obvious. Clearly, a "design considerations" rationale for an obviousness rejection does not comply with the statutory mandate.

Claim 8 adds the following limitation not made obvious in combination with the admitted prior art read in view of Hughes:

"wherein the existing connector includes at least two conductors for delivery of AC-type power."

Claim 8 was also rejected as obvious based on a "design considerations" rationale. For the same reasons that claim 7 was improperly rejected, claim 8 was also improperly rejected.



There is no teaching or suggestion to modify Hughes as claimed apart from the present application. The "design considerations" rationale does not comply with the statutory standard.

For all of the above reasons, none of claims 2-9 are obvious and unpatentable over the admitted prior art read in view of Hughes. Similar comments apply to the rejections of claims 12-20.

The rejection of the pending claims as obvious and unpatentable in view of the admitted prior art read in view of Kwoka, as explained below, should also be withdrawn. Kwoka unlike the claimed structure merely discloses a breakaway connector assembly 116, 116'. In formulating the obviousness rejection of the admitted prior art, read in view of Kwoka, no identification has been made of the required suggestion or motivation which would cause one of skill in the art to modify the admitted prior art in view of Kwoka. In fact, the disclosure of Kwoka actually teaches away from the claimed structure since it promotes breakaway connections to address circumstances of an individual tripping over the cable or unintentionally pulling on the cable "in a way that may cause the component to move out of place in a manner that could cause damage to the component or could cause injury or damage." (Col. 2, line 31, lines 55-56 Kwoka). This rejection also appears to be based on improper hindsight reconstruction.

The rejection of the pending claims as obvious and unpatentable over the admitted prior art read in view of Chang as described below should also be withdrawn. Chang alone or in combination with the admitted prior art is quite unlike the claimed structure. As Fig. 3 of Chang discloses one connector 115 is coupled by conductors to a plurality of connectors 120-1 ... 120-4. Not only is this structure quite unlike the claimed structure, the Examiner has again failed to articulate the motivation or suggestion in the admitted prior art or Chang, which would cause one of skill in the art to modify the admitted prior art, given the teachings of Chang, so as to make the claimed invention obvious. Indeed, what Chang is suggesting is a structure which requires a multiplicity of connectors 120-1, -2, -3, and -4, which is clearly a teaching away from the claimed invention. This rejection also appears to be based on improper hindsight reconstruction.



In addition to the above reasons for allowability of the pending claims, we also note that none of Hughes, Kwoka or Chang are analogous relative to the admitted prior art. Each of those patent documents deals with completely different technical fields of endeavor than does the admitted prior art. Hughes deals with solving problems relative to electrifying trailers. Kwoka deals with consumer related problems of pulling or tripping over electrical cords. Chang deals merely with distribution of electrical energy from a power supply.

It is submitted that those of skill in the art would not look to any of Hughes, Kwoka or Chang in connection with addressing the problem presented by the admitted prior art. In this regard, for example, claim 12 is directed to:

"An ambient condition detector comprising:  
a housing; a first connector carried on the housing, for a mating to a second connector of a compatible form factor and electrical configuration; and an adapter which engages the first connector whereby the adaptor exhibits and output configuration for engaging another, different connector, incompatible with the second connector"

All limitations of claims 12-16 must be considered in connection with assessing analogous subject matter. Hence, given the non-analogous nature of each of Hughes, Kwoka or Chang, for these additional reasons, the rejections of claims 12-16 should be withdrawn.

Hence, for all of the above reasons, the pending claims are allowable. Allowance of the application is respectfully requested.

A number of additional claims, added hereby, are also allowable over the prior art of record. Submitted concurrently herewith is a Supplemental Information Disclosure Statement. It

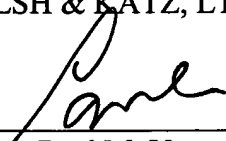


is requested that the prior art documents therein be made of record in connection with this application. Allowance of the application is respectfully requested.

Respectfully submitted,

WELSH & KATZ, LTD.

By



Paul M. Vargo

Registration No. 29,116

120 South Riverside Plaza -22<sup>nd</sup> Floor  
Chicago, IL 60606  
Phone: (312) 655-1500